

NO. 23997

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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MYLES TAMASHIRO, WARREN TOYAMA, HEATHER FARMER, FILO TU,  
JEANETTE TU, LYNN MISAKI, CLYDE OTA, MIRIAM ONOMURA, and  
YOSHIKO NISHIMURA, Plaintiffs-Appellants/Cross-Appellees,

vs.

DEPARTMENT OF HUMAN SERVICES, STATE OF HAWAI'I, ET AL.,  
Defendants-Appellees/Cross-Appellants.

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 96-3011)

ORDER GRANTING MOTION TO DISMISS APPEAL AND DENYING MOTION FOR  
TEMPORARY STAY OF APPEAL PENDING RULING ON PLAINTIFFS'  
MOTION FILED IN THE CIRCUIT COURT ON FEBRUARY 9, 2001

(By: Moon, C.J., Nakayama, Ramil, Acoba, JJ., and  
Circuit Judge Simms, in place of Levinson, J., recused)

Upon consideration of: (1) Defendants-Appellees/Cross-Appellants' motion to dismiss the appeal; (2) Plaintiffs-Appellants/Cross-Appellees' opposition to the motion to dismiss the appeal; and (3) Plaintiffs-Appellants/Cross-Appellees' motion for a temporary stay of the appeal pending a ruling on Plaintiffs' motion filed in the circuit court on February 9, 2001; and (4) the records and files herein,

IT IS HEREBY ORDERED that the motion to dismiss the appeal is granted, and the appeal and the cross-appeal are

dismissed for lack of appellate jurisdiction.

IT IS FURTHER ORDERED that the motion for a temporary stay of the appeal is denied.

DATED: Honolulu, Hawai'i, March 14, 2001.